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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,392	06/15/2005	Jacobus Marinus Maria Claassens	NL 021396	4696

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EXAMINER

WILLIAMS, JOSEPH L

ART UNIT PAPER NUMBER

2879

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/539,392

Applicant(s)

CLAASSENS ET AL.

Examiner

Joseph L. Williams

Art Unit

2879

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the use of the legalese language "comprising". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Noteltiers et al. (US 3,777,207).

Regarding claim 1, Noteltiers ('207) teaches in figures 1 and 2 and the corresponding text, a halogen incandescent lamp comprising a transparent sealed bulb (1), a gas filling comprising an inert gas and a halogen additive, a luminous element (31, 35) which is attached to a current supply system (11, 13) extending in a pinched portion (3) of the bulb, and a mount (19) extending from at least adjacent the outside of the pinched portion (3) into the bulb (1) and comprising at least one metal support wire (41) which retains the luminous element (31, 35) in the vicinity of the end of the bulb (1) remote from the pinched portion (3), characterized in that the mount (19) comprises a non-conducting part (no number, inside pinched part) such that the outer end of the part of the mount at or near the outside of the pinched portion (3) and the support wire (41) are electrically insulated from each other.

Regarding claim 2, Noteltiers ('207) teaches that the non-conducting part comprises a pedestal (19) which is supported by the pinched portion (3) thereof, and that the at least one metal support wire (41) extends from the pedestal (19).

Regarding claim 3, Noteltiers ('207) teaches the pedestal (19) extends at least partly in the pinched portion (3).

Regarding claim 9 and 10 the Examiner notes that the claim limitations are drawn to a process of manufacturing, which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product by process claim limitation is not afforded patentable weight (see MPEP 2113).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noteltiers et al. (US 3,777,207), of record, in view of Ragsdale et al. (US 5,659,222).

Regarding claim 4, Noteltiers ('207) teaches all of the claimed limitations except for a bead portion substantially extending into the bulb.

Further regarding claim 4, Ragsdale ('222) teaches in figure 7 a lamp comprised of, in part, a bead portion (38) substantially extending into the bulb for the purpose of improving the support structure of the lamp.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the support structure of Ragsdale in the lamp of Noteltiers for the purpose of improving the support structure of the lamp.

Regarding claim 5, Ragsdale ('222) teaches that the pedestal (38) is made of glass.

The reason for combining is the same as for claim 4 above.

Regarding claim 8, Ragsdale ('222) teaches that the bead is made of glass.

The reason for combining is the same as for claim 4 above.

Allowable Subject Matter

4. Claims 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 6, the prior art of record neither shows nor suggest a lamp comprised of, in part, the bulb is made of a quartz glass and the pedestal is made of a quartz transition glass.

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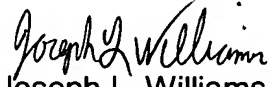
Regarding claim 7, the prior art of record neither shows nor suggest a lamp comprised of, in part, the mount comprises two, three, or more metal support wires extending from the pedestal.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Williams
Primary Examiner
Art Unit 2879